



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/842,089	04/26/2001	Jae Kyung Lee	P-221	6949

34610 7590 07/27/2004

FLESHNER & KIM, LLP
P.O. BOX 221200
CHANTILLY, VA 20153

EXAMINER

NATNAEL, PAULOS M

ART UNIT	PAPER NUMBER
----------	--------------

2614

DATE MAILED: 07/27/2004

8

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application

09/842,089

Applicant(s)

LEE ET AL.

Examiner

Paulos M. Natnael

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8,10,11 and 13-19 is/are rejected.
- 7) ☒ Claim(s) 9,12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims **1-8, 10, 11, and 13-19** are **again** rejected under 35 U.S.C. 103(a) as being unpatentable over **Bril**, U.S. Pat. No. **5,946,051** *in view of* **Suga** et al. U.S. Pat. No. **6,215,467**.

Considering claim **1**, the claimed TV having an OSD (On Screen Display) function, comprising

a) a service site server configured to provide a user OSD set menu and an OSD generation program which corresponds to original information of a TV..., is met by the disclosure in col. 5, lines 50-53 that "Network interface 110 receives data corresponding to a network application such as web-browsing, electronic mail in a known way. The data may be received in one of known formats such as ASCII, HTML, VRML etc. " (see also the Abstract) The data, as is well known in the art, is received from a remote computer server.

b) a control unit configured to receive the user OSD set menu and OSD generation

Art Unit: 2614

program from the service site server and to generate a corresponding OSD, is met by OSD controller 170, FIG. 1; (see col. 5, lines 57 through col. 6, lines 16)

c) a video processing unit configured to display the OSD generated by the control unit on a screen, is met by the display panel interface 145 and display 150, fig.1; (see also col.7, lines 7-20)

Except for;

d) wherein the OSD generation program is configured to provide a plurality of language selections and a plurality of viewing and display processing format selections;

Regarding d), Bril on col. 1, lines 49-60 discloses that "...the system may need to be designed to appropriately process the different forms/formats in which the signals of the network applications and television signal are received. For example, a television signal may be received in interlaced format (e.g., composite television signal in NTSC format) and the network application data may be received in a non-interlaced format... Thus, what is needed is a method and apparatus which addresses such problems and provides a user the ability to access network applications from a television system in a cost-effective manner." [emphasis added by examiner]. It is clearly implied here that the network application data may include video signal from the Internet, etc.

Bril does not specifically disclose plurality of language selections. However, this is well known in the art. In this regard, Suga et al. discloses a display control apparatus and method having a plurality of different display

Art Unit: 2614

modes, and language selection processing. Suga teaches OSD display example in Figs. 22-24 and 29 where a language or languages can be selected as desired by the user. Suga specifically teaches English and Japanese languages being alternatively selected. Therefore, it would have been obvious to the skilled in the art at the time the invention was made to modify the system of Bril et al by providing the language selections menu of Suga et al in order to make the system of Bril more useful for the user by giving the end-user more choices.

Considering claim 2, the TV having the OSD (On Screen Display) function according to claim 1, wherein the TV further comprises a storing unit for storing the original information, contact information for contacting to the service site server, and an

OSD generation program corresponding to the original information, is met by Memory module 180, fig. 1; (see col. 5, lines 57 through col. 6, lines 16)

Considering claim 3, the TV having the OSD (On Screen Display) function according to claim 1, wherein the service site server contacts to the control unit through a network interface unit, is met by Network 110, fig.1;

Considering claim 4, wherein the plurality of viewing format selections comprise a plurality of aspect ratios, and wherein the plurality of display processing formats comprises at least NTSC and PAL, is met by the disclosure "The set top box generates a composite video signal (e.g. in NTSC or PAL formats) representative

Art Unit: 2614

of network application data. This composite video signal is usually displayed on the entire television screen similar to a signal received from a video camera recorder/player (VCR/VCP). (see col. 4, lines 35-40)

Considering claim 5, wherein the user OSD set menu is configured to allow a user to select a user request language from the plurality of language selections provided by the OSD generation program and to select a user format from the plurality of viewing and display processing format selections provided by the OSD generation program.

See rejection of claims 1 (d) and 4 above.

Considering claim 6, wherein the format comprises at least one of a display processing type format and an aspect ratio format.

Regarding claim 6, see rejection of claim 4 above

Considering claim 7, wherein the original information comprises at least a model name or a model number of the TV.

Regarding claim 7, the combination of Bril et al and Suga et al as modified above does not specifically disclose whether the information comprises a model name or a model number of the TV. However, the Examiner takes Official Notice in that Notice in that storing information such as a model name or number received or retrieved from a remote network server in a memory is well known in the art where a model # or name would be entered on a prompt or line of a

Art Unit: 2614

website, for example, and the desired information is retrieved from a remote server. Therefore, it would have been obvious to the skilled in the art at the time the invention was made to modify the system of Bril by providing the information of the TV model number in order for the user identify and retrieve the desired product efficiently.

Considering claim 8, wherein the contact information comprises a URL (Uniform Resource Locator).

Regarding claim 8, the combination of Bril et al and Suga et al as modified above does not specifically disclose a URL. However, again the Examiner takes Official Notice in that using the URL to obtain information from a remote network server as indicated in the rejection of claim 7 for example is well known in the art and, therefore, it would have been obvious to the skilled in the art at the time the invention was made to modify the system by providing a URL so that the user would be able to obtain the desired information easily and more reliably.

Considering claim 10, the system according to claim 9, wherein the control unit is configured to receive and an operation order signal input by a user, to access the OSD generation program stored in the storing unit, and to generate an OSD based on the operation order signal, is met by the disclosure that the "TV system enables a user to view...as well as to access data network applications. (see abstract)

Art Unit: 2614

Considering claim 11, a control method of a TV having an OSD (On Screen Display) function, comprising receiving a user OSD set menu which corresponds to original information of the TV by contacting to a service site server when an OSD set key signal is generated; receiving an OSD generation program which corresponds to a user request OSD menu; and generating a user OSD which reflects a user selected language and user selected viewing and display processing formats corresponding to an operation order signal by accessing the OSD generation program when the operation order signal is input by a user.

Regarding claim 11, claim 11 is a method claim of claim 1 and therefore, claim 11 is rejected for the same reasons as claim 1.

Considering claim 13, the claimed wherein generating the user OSD comprises updating a former OSD generation program with the received OSD, and generating an OSD which corresponds to the operation order signal by using the updated OSD generation program, is met by the disclosure "The display entities are stored in separate portions of the memory module. Such a storage enables the individual display entities to be modified (or defined) independently. As a result, the display of each display entity can be modified without necessarily impacting or being impacted by display of other display entities. For example, to achieve a scroll operation of the network application data, only the bit map of the network application data in the memory module needs to be updated. The display entitles are then overlayed prior to display in accordance with the presentation." (col. 2, lines 9-17) [emphasis added]

Art Unit: 2614

[Note: updating a program such as an operating system, etc., by downloading from a remote server or broadcaster is well known in the art]

Considering claim 14, wherein the original information comprises at least a model name or a model number of the TV.

Regarding claim 14, see rejection of claim 7.

Considering claim 15, wherein the OSD generation program comprises a plurality of language selections and a plurality of viewing an display processing format selections.

Regarding claim 15, see rejection of claim 1 (d).

Considering claim 16, wherein further comprising selecting a user request language from the plurality of language selections provided by the OSD generation program, and selecting a user request format from a plurality of viewing an display processing format selections provided by the OSD generation program.

Regarding claim 16, See rejection of claim 1 (d).

Considering claim 17, the control method of the TV having the OSD (On Screen Display) function according to claim 16, wherein the plurality of viewing an display processing format selections comprises a plurality of aspect ratios, and

Art Unit: 2614

wherein plurality of viewing an display processing format selections comprises at least NTSC and PAL;

Regarding claim 17, see rejection of claim 4.

Considering claim 18,

- a) a network interface unit configured to receive an OSD generation program which provides a user OSD set menu corresponding to original information of a the TV, ..._from a service site server ;
- a) a storing unit configured to store the original information and contact information of the service site server ;
- c) a control unit configured to transmit the original information of the TV the service site server to store the OSD generation program corresponding to the OSD set menu selected by from a plurality of user OSD set menus stored in the storing unit, and to generate an OSD by using the OSD generation program stored in the storing unit when an operation order is input by a user ;
- d) and a video processing unit configured to display the OSD generated in the control unit on a screen.
- e) a plurality of language selections, and plurality of viewing and display processing format selections;

Regarding claim 18, see rejection of claim 1;

Art Unit: 2614

Considering claim **19**, wherein the user OSD set menu describes OSD language information for selecting a user request language among the various OSD languages, and OSD in format information for selecting a user request format among the various OSD formats.

Regarding claim 19, See rejection of claim 1(d);

Response to Arguments

3. Applicant's arguments filed May 10, 2004 have been fully considered but they are not persuasive.

Applicant's Arguments

Bril clearly teaches away from a plurality of viewing and display processing formats, as the television signal received by the receiver 120 is transmitted and received in a predetermined format. The plurality of formats taught by Bril and referenced in the Office Action are merely electronic data formats related to the network application data (again, web browsing data, electronic mail, and the like) received by the interface module 110 and transmitted to the controller 170, and do not include viewing and display processing formats.

Examiner's Response

As pointed out in the previous office action, Bril discloses that "The user may need to be provided the ability to select one display or the other, or to specify that

Art Unit: 2614

each display occupy a portion of the television screen. Therefore, a television system may need to provide a user the ability to select one of television signal or the network application, and accordingly display the selection in a pre-specified portion. (col. 1, lines 42-48) For example, a pointer is provided to facilitate user interface operations and text may be used to display status messages (e.g., MUTE, VIDEO). OSD controller stores all the display entities in the memory module, typically as a bit map. (col. 2, lines 5-8) The pointer provides a user the ability to select/actuate various displayed portions. All of these display entities are overlayed in accordance with the present invention to provide a unified display on a display screen of a television system. (col. 4, lines 4-7) Therefore, Bril clearly teaches that the data network applications can definitely be accessed by the user, and implies that "these entities can be altered based on user input."

Furthermore, Bril teaches "the system may need to be designed to appropriately process the different forms/formats in which the signals of the network applications and television signal are received." To explain what forms and/or formats Bril was talking about, Bril adds, "For example, a television signal may be received in interlaced format (e.g., composite television signal in NTSC format) and the network application data may be received in a non-interlaced format... It is clearly implied here by Bril that the network application data may comprise a variety of data including video signals from the Internet, etc.

Thus, the argument that Bril teaches away from a plurality of viewing and display processing formats is unpersuasive.

Allowable Subject Matter

4. Claims 9 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The following is a statement of reasons for the indication of allowable subject matter: the prior art fails to disclose a control method, wherein the control unit is configured to contact the service site server using the contact information, stored in the storing unit, and to store an OSD generation program which corresponds to an OSD set menu selected by a user from a plurality of user OSD set menus stored in the storing unit, as in claim 9; and, *wherein receiving the user OSD set menu comprises uploading the original information of the TV by contacting to the service site server, and receiving a user OSD set menu which corresponds to the uploaded original information, as in claim 12;*

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory


Art Unit: 2614

action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paulos M. Natnael whose telephone number is (703) 305-0019. The examiner can normally be reached on 9:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (703) 305-4795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


MICHAEL H. LEE
PRIMARY EXAMINER

PMN
July 16, 2004